

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated March 20, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-4 are pending in the Application. By means of the present amendment, claims 1-4 are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include changing amending dependent claims to begin with "The" as opposed to "A" as well as correcting certain informalities noted upon review of the claims. By these amendments, claims 1-4 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The Applicants note the suggestion in the Office Action for a review of the specification and drawings and the suggestion to add section headings to the specification. The Applicants have reviewed the specification and drawings and find no minor errors at this time. Regarding the suggestion to add section headings to the specification, the Applicants respectfully decline to add the headings as the section headings may be improperly utilized for interpreting claim recitations.

In the Office Action, claims 1-4 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite due to a lack of antecedence basis for the terms "the accommodating section" and "the form". A review of claim 1 finds proper antecedence for the term "the accommodating section" on line 5 of claim 1. The amendment noted to place the claim in proper U.S. form renders the further rejection under 35 U.S.C. §112, second paragraph moot. Accordingly, it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 1-4 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by German Patent No. DE 4205120 ("DE4205120"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-4 are allowable over DE4205120 for at least the following reasons.

The Office Action states that "[t]he structural features of the instantly rejected claims are structurally met by the reference. While features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function." While this statement may be a correct statement of the patent law, it is respectfully submitted that this statement of the patent law does not affect the patentability of the claims as presented over DE4205120.

DE4205120 shows a scale device (see, FIG. 3) with an indicating section 7 that includes an LCD 25 with a glass plate 26 deposited over the LCD 25. A further section is deposited on top of the glass plate 26 and the LCD 25. The LCD 25 is deposited on a PC board. Accordingly, the device of DE4205120 has a reflective top cover but a PC board oppositely deposited side.

It is respectfully submitted that the appliance of claim 1 is

not anticipated or made obvious by the teachings of DE4205120. For example, DE4205120 does not disclose or suggest, an appliance that amongst other patentable elements, comprises (illustrative emphasis added) "an accommodating section for accommodating the liquid crystal display device, and wherein the accommodating section is bounded, on a front face and on a rear face opposite the front face, by a transparent housing-wall section, and wherein the liquid crystal display device is in a form of a negatively transmissive liquid crystal display device, and wherein the negatively transmissive liquid crystal display device is disposed between the two transparent housing-wall sections of the housing, and wherein the front face of the negatively transmissive liquid crystal display device is disposed adjacent to the transparent housing-wall section on the front face of the housing" as recited in claim 1. It is respectfully submitted that a transparent front face and oppositely disposed transparent rear face are structural features that together are neither disclosed nor suggested by the glass plate 26 of DE4205120.

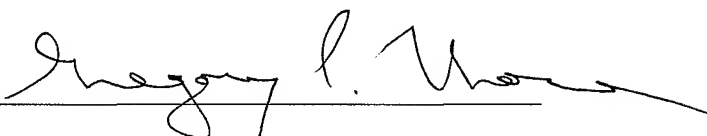
Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over DE4205120 and notice to this effect is earnestly solicited. Claims 2-4 respectively depend

from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
June 20, 2008

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101